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Nicholas Bacon: The Making of a Tudor Statesman

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150, 359) when he did not assume that post until 1780; there is confusion as to whether Matthew and David Clarkson are Sarah Jay's cousin or uncle (pp. 438, 451, 564); and many of the individuals whose names appear in the documents and notes are not identified.

These minor distractions are forgivable alongside the splendid presentation of new material, the decoding of letters heretofore available only in cipher, the correction of documents printed incompletely or incorrectly by Johnston, and the informative editorial introductions—all of which provide that fresh reassessment of Jay as a founding father of the first rank for which Richard B. Morris has so long been rightly contending.

MILTON M. KLEIN, *Professor of History,*
University of Tennessee, Knoxville

Robert Tittler, *Nicholas Bacon: The Making of a Tudor Statesman.*
Athens, Ohio. Ohio University Press, 1976. 256 pp. \$15.00.

Sir Nicholas Bacon was Lord Keeper of the Great Seal from the accession of Elizabeth I until his death in 1579. He was well qualified for this post, having previously served as treasurer of Gray's Inn, solicitor of the court of augmentations and attorney of the court of wards and liveries. Elizabeth I showed her characteristic good judgment in Bacon's appointment as head of the chancery; he came to be highly respected as a judge in his own day, and his reputation, though dimmed by time, has survived to our day. He is a fitting subject of a biography, and legal historians should be grateful for Dr. Tittler's work.

As the subtitle indicates, this biography of Sir Nicholas Bacon is concerned primarily with his political career. His humanistic interests in education, his puritanism and his political and family alliances with Lord Burghley are woven into a very readable fabric. Of particular interest to the legal historian is Chapter 5, "The Lord Keeper." Discussed here are Bacon's innovations in the procedures and administration of the chancery. On page 77 it is stated that five of the masters in chancery had doctorates in both civil and "common" law; this, of course, is a typographical error for civil and "canon" law. (A reviewer has got to point out at least one technical flaw to show that he has in fact read the book which is being reviewed.)

It is unfortunate that the Ohio University Press did not put the footnotes at the bottom of the pages. This reviewer would have

preferred to have given up all of the expensive illustrations in the book, if the footnotes could have been placed where they belong. Tittler's *Nicholas Bacon* is well researched, well written and enjoyable to read.

W. HAMILTON BRYSON, *Associate Professor of Law,
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Sir Matthew Hale, *The Prerogatives of the King*. Edited for the Selden Society by D.E.C. Yale. London, Selden Society, 1976, lxxx, 353 pp. Price to non-members 12£.

This beautifully edited volume will be of value in two main ways. First, it is an important contribution to our growing understanding of one of the best minds—and in some ways an elusive one—in the common law tradition. The volume reclaims from manuscript a major work of Hale's, or rather, amalgamates into a major work two separate manuscripts. Roughly the first half is a text entitled *Prerogativa Regis*, being the latest and fullest draft of Hale's projected work on the subject. When that uncompleted composition breaks off, the volume continues with an earlier version, *Preparatory Notes touching the Rights of the Crown*. (In the portion made up of the *Prerogativa*, parallel passages from the *Rights* are reproduced in the notes.) The resultant whole remains an unfinished work, as is the case with most of Hale's writings. That this is so, and the degree to which it is, appears from a further document, which is printed in the Introduction: Hale's elaborate analytical table of the topic "Prerogative". Besides making available a text which, though incomplete, still covers a wide ground, Mr. Yale has furnished an introductory essay which contributes to our knowledge of Hale both by putting his work on the crown in its setting and by discussing larger features of his intellectual profile.

The other way in which this material will be useful is as a compendium of law on a considerable range of subjects. To a legal tradition with the lumber-room quality of case law and the commentator's mentality, Hale brought a clarifying and systematizing impulse. He was surely conscious of his gift and the need for it. His ramifying tabular analyses testify to that power, as well as helping to explain why his execution of "restatement" had trouble keeping pace with the conception. But what he got restated has an organization and precision that make the law on the matters treated more intelligible and accessible than in the raw and scattered sources, of which Hale was a great master. (The sources used by Hale in the